

Michael L. Rabb (#13734)
THE RABB LAW FIRM, PLLC
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Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION

RHONDA STATON, an individual;

Plaintiff,

vs.

CITY AND COUNTY OF BUTTE-
SILVER BOW;

Defendant.

CASE NO. CV-20-60-BU-BMM

Honorable Brian Morris

**AFFIDAVIT OF JOEL
SILVERMAN**

STATE OF MONTANA)

:

County of Gallatin)

JOEL SILVERMAN, being first duly sworn and upon oath, does hereby attest
to the following:

1. I am over the age of 18 years, competent to make this affidavit and make this affidavit based upon my personal knowledge and not upon information and belief.

2. I am not involved in this case, except to provide this Affidavit on the reasonableness of the hourly rates charged by The Rabb Law Firm, PLLC.
3. I am a member in good standing with the Montana Bar. I have been licensed and practicing law in Montana for over 20 years and in 2012, I formed Silverman Law Office, PLLC with offices in Helena and Bozeman, Montana.
4. I am experienced in creating and reviewing bills for legal work and I am familiar with the hourly rates charged by civil litigation attorneys in the area.
5. Our litigation attorneys bill out at \$425/hour for associate attorneys and \$500/hour for senior attorneys.
6. I have been advised that The Rabb Law Firm, PLLC is seeking an award of attorney fees based on an average hourly rate for a junior attorney of \$302.25 and an average hourly rate for a senior attorney of \$407.83.
7. Specifically, I am aware that the average hourly rates invoiced for particular attorneys in this matter are as follows: attorney Rabb \$442.37, attorney Driggers \$402.07, attorney Rupprecht \$350.00, attorney Gruber \$252.98, attorney Corn \$186.25, and attorney Fuller \$301.47.
8. I have reviewed the Affidavits of Michael Rabb concerning the background and experience of the attorneys in his Firm who worked on this case and the hourly rates they charged.
9. It is my understanding that all Senior Attorneys have at least fourteen years of

experience.

10. It is also my understanding that the Junior Attorney has over three years of experience.

11. Based on my review, along with my knowledge and experience of The Rabb Law Firm, and of the local Montana communities, including Gallatin County, I am of the opinion that:

- a. The average hourly rates billed for Ms. Rupprecht, Mr. Gruber and Ms. Corn's time are below typical hourly rates for attorneys with similar experience and are therefore reasonable.
- b. The average hourly rates billed for Mr. Rabb, Mr. Driggers and Ms. Fuller given their experience, is commiserate with other hourly rates in the communities, and is therefore reasonable.

12. I have also been advised that The Rabb Law Firm, PLLC is seeking an award of paralegal fees.

13. I am aware that the average hourly rates invoiced for particular staff in this matter are as follows: Law Clerk Fuller \$181.70; Law Clerk LaRoche \$121.53; Certified Paralegal Russell \$165.07; Certified Paralegal McFadden \$158.24; and Certified Paralegal Kennedy \$137.25.

14. I have reviewed the Affidavits of Michael Rabb concerning the Law Clerks and Certified Paralegals in his Firm who worked on this case and the hourly

rates they charged.

15. Based on my review, along with my knowledge and experience of The Rabb Law Firm, and of the local Montana communities, including Gallatin County, I am of the opinion that the average hourly rates billed for Ms. Fuller, Ms. LaRoche, Ms. Russell, Mr. McFadden and Mr. Kennedy's time are below typical hourly rates for law clerks and certified paralegals and are therefore reasonable.

FURTHER AFFIANT SAYETH NAUGHT.

Dated this 14th day of March, 2024.


Joel Silverman, Affiant


STATE OF MONTANA)

:ss

County of Lewis and Clark)

The foregoing was signed and sworn to before me this 14th day of March, 2024 by Joel Silverman, Affiant.

[seal]


Notary for the State of Montana

